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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/529,356

03/25/2005

Alphons Antonius Bruekers

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

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EXAMINER

OKEKE, IZUNNA

ART UNIT

PAPER NUMBER

4193

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/529,356	Applicant(s) BRUEKERS ET AL.	
	Examiner Izunna Okeke	Art Unit 4193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/25/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/25/2005 & 09/16/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Claim Objections***

1. Claims 8 and 9 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 8 recites a 'storage medium' which has no dependence on any claim before it. It should be rewritten as an independent claim or placed in a proper dependent form if it depends on claim 1. E.g. "A record carrier of claim 1 comprising a storage medium". The above correction is also applicable to claim 9.
2. Claims 2-7, 10-12 are objected to because of the following informalities: A. The use of the word 'A' in claims 2-7 renders the claim infinite as it is not precise which record carrier it refers to. 'The' should be used instead of 'A' to identify the record carrier of claim 1. E.g. "The record carrier of claim 1". Claims 10-12 should also be amended in like manner if they refer to the device of claim 9. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 8-9, 12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu et al. (US-6356517).

a. Referring to claim 1:

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Regarding claim 1, Liu teaches a record carrier having a first area for storing a first kind of information (See Liu, Col 2, Line 1-8 teaches a record carrier having a data area for storing data), and further having multiple second areas each designed for comprising a storage medium for storing second kinds of information (See Fig. 4 and Fig. 2 teaches element 14 as multiple second areas designed for comprising a storage medium for storing second kinds of information).

a. Referring to claim 2:

Regarding claim 2, Liu teaches a record carrier as claimed in claim 1, characterized in that the storage media of the first and second areas are of a different physical kind (See Liu, Col 1, Line 40-54 and Col 2, Line 1-34 teaches two storage media. One for storing data and the chip for storing DAA and types of media and both media are of different physical kind)

a. Referring to claim 3:

Regarding claim 3, Liu teaches a record carrier as claimed in claim 1, characterized in that the storage medium of at least one of the second areas is a chip (See Liu, Col 1, Line 47-49).

a. Referring to claim 4:

Regarding claim 4, Liu teaches a record carrier as claimed in claim 1, characterized in that at least one of the second areas is designed for detaching and/or attaching a storage medium to it (See Liu, Col 2, Line 14-15 teaches the recess 126 for attaching and detaching the chip).

a. Referring to claim 5:

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Regarding claim 5, Liu teaches a record carder as claimed in claim 1, characterized in that the storage medium of at least one of the second areas is designed for storing information relating to the access of a reading and/or writing device to the record carrier (See Liu, Col 1, Line 47-54), in particular in that this access information comprises

encryption and/or decryption information serving in encrypting and/or decrypting information to be stored on and/or to be read from the first area in an encrypted form (See Liu, Col 1, Line 47-54), and/or

device-access information serving in checking the right of a reading and/or writing device to access the record carder (See Liu, Col 1, Line 47-54), and/or

user-specific settings serving in controlling the access of a reading and/or writing device to the record carder and/or in controlling the manner information being read from the record carrier is presented by the reading and/or writing device to a user of the reading and/or writing device (See Liu, Col 1, Line 47-54).

a. Referring to claim 8:

Regarding claim 8, Liu teaches a storage medium being designed for storing a second kind of information and for being attached to a second area of a record carrier as claimed in claim 1 (See Liu, Col 1, Line 47-54 teaches a chip for storing another kind of information and for being attached to a second area).

a. Referring to claim 9:

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Regarding claim 9, Liu teaches a carrier device, in particular a plastic film, with a storage medium as claimed in claim 8 (See Liu, Col 1, Line 40-45 teaches a carrier device such as a plastic film on an optical disc with a storage medium).

a. Referring to claim 12:

Regarding claim 12, Liu teaches a device for reading and/or writing as claimed in claim 10, characterized in that the device is designed for decoding the third kind of information being encoded in the distribution of the coupling elements on a record carrier as claimed in claim 7 (See Liu, Col 2, Line 45-50 teaches a device or player which decodes the tracking information data recorded on the chip).

a. Referring to claim 14:

Regarding claim 14, Liu teaches a method for reading and/or writing a record carrier as claimed in claim 1, with the steps:

reading and/or writing the second kinds of information (See Liu, Col 2, Line 33-34 teaches writing the second kind of information to the chip) , and,

in dependence on the second kinds of information, reading and/or writing all or part of the first kind of information (See Liu, Col 2, Line 47-50 teaches reading or writing the data file according the second kind of information contained in the chip).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 6-7, 10-11 and 13 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Liu et al. (US-6356517), and further in view of Gal-ezer et al. (WO-9852191).

a. Referring to claim 6:

Regarding claim 6, Liu teaches a record carrier as claimed in claim 1, characterized in that the second areas are each designed to comprise a chip (See Liu, Col 1, Line 47-49 teaches a chip),

Liu does not teach multiple chips being designed for executing a distributed procedure serving in controlling the access of a reading and/or writing device to the record carrier

However, Gal-ezer teaches multiple chips being designed for executing a distributed procedure serving in controlling the access of a reading and/or writing device to the record carrier (See Gal-ezer, Page 11, Line 17-33 teaches the multiple memory chips containing codes which authorize reading or writing to the CD).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Liu's system to incorporate multiple chips as taught by Gal-ezer for the purpose of increasing the capacity of the memory chips to hold more security information and other kinds of information on the CD.

a. Referring to claim 7:

Regarding claim 7, the combination of Liu and Gal-ezer teaches a record carrier as claimed in claim 1, characterized in that the second areas are each designed to comprise a coupling element for data exchange between the storage medium of each second area and a device for reading and/or writing the record carrier, (See Gal-ezer,

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Page 3, Line 12-28 teaches a coupling which allows data exchange between memory chips on the CD and for reading or writing to the main data carrier) and in that the distribution of the coupling elements on the record carrier encodes a third kind of information (See Liu, Col 1, Line 49-50 teaches a tracking information for identifying the CD).

a. Referring to claim 10:

Regarding claim 10, the combination of Liu and Gal-ezer teaches a device for reading and/or writing a record carrier as claimed in claim 1, wherein the device is designed for accessing the second areas (See Gal-ezer, Page 2, Line 6-7 teaches a CD-Drive device for accessing the secondary areas).

a. Referring to claim 11:

Regarding claim 11, the combination of Liu and Gal-ezer teaches a device for reading and/or writing as claimed in claim 10, characterized in that the device is designed for accessing the first and at least one of the second areas of the record carrier in parallel (See Gal-ezer, Page 2, Line 27-36 teaches a device for accessing the data memory space of the CD and the second area which is the chip).

a. Referring to claim 13:

Regarding claim 1, the combination of Liu and Gal-ezer teaches a system for supporting access control to information and/or personalized processing of information, the system comprising a device as claimed in claim 10 and a record carrier as claimed in claim 1 carrying the information (See Gal-ezer, Line 10-36 teaches a system such as a drive and memory circuitry for supporting access control to information and the system comprises a record carrier such as a CD).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Ruetsche et al. (WO-0058907) discloses a data carrier comprises a plastic body, in which a metal layer carrying data in CD or DVD format is arranged. (See Abstract)
 - b. Ro et al. (US-5940363) discloses a memory chip mounted on an optical disk provided with a data recording region, a TOC (Table of Content) recording region. (See Abstract)
 - c. Diezmann et al (US-6044046) discloses a data carrier in the form of a write-once or rewritable compact disc (CD) includes a circular CD body with an information-carrying layer and a chip integrated in the CD body. (See Abstract)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Izunna Okeke whose telephone number is (571) 270-3854. The examiner can normally be reached on Monday - Friday 7:30 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Nguyen can be reached on (571) 272-1753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Taghi T. Arani/

Supervisory Patent Examiner, Art Unit 4193

4/24/2008